

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

In re LANTUS DIRECT PURCHASER
ANTITRUST LITIGATION

Civil Action No. 16-cv-12652-LTS-JCB

**DEFENDANT’S ASSENTED-TO EMERGENCY MOTION TO
EXPEDITE BRIEFING SCHEDULE AND FOR LEAVE TO FILE A REPLY**

Defendant Sanofi-Aventis U.S. LLC (“Sanofi”) hereby respectfully requests that the Court set an expedited briefing schedule for Sanofi’s Emergency Motion to Strike Improper Rebuttal Reports (“Motion to Strike”) and grant Sanofi leave to file a reply brief pursuant to Local Rule 7.1(b)(3). As set forth in Sanofi’s related filings, Plaintiffs served three expert rebuttal reports more than three months late and just days before expert depositions were scheduled to begin. Setting an expedited briefing schedule serves the interest of justice by providing Sanofi clarity as to the proper scope of Plaintiffs’ rebuttal expert reports while minimizing disruption to the case schedule. Sanofi also anticipates that certain arguments in Plaintiffs’ opposition will merit a response and that a reply brief will assist the Court with disposition of the issues.

Sanofi therefore respectfully requests that this Court grant Sanofi leave to file a reply and set an expedited briefing schedule, as set forth in the attached proposed order:

- Plaintiffs shall file their opposition, if any, to Sanofi’s Motion to Strike on or before September 27, 2024; and
- Sanofi shall file its reply, if any, in support of its Motion to Strike on or before October 1, 2024, and such reply shall not exceed eight pages.

Pursuant to Local Rule 7.1(a)(2), Sanofi’s counsel certifies that they have met and conferred with Plaintiffs’ counsel regarding this Motion to Expedite Briefing Schedule and for Leave to File a Reply. Plaintiffs offered and agreed to accept service of Sanofi’s Motion to Strike

via email on September 20, 2024—and were so served by Sanofi—and to respond by September 27, 2024. Plaintiffs do not oppose Sanofi’s request for leave to file a reply, but suggest that it be limited to eight pages.

Dated: September 23, 2024

/s/ Rosanna K. McCalips

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CERTIFICATE OF SERVICE

I, Rosanna K. McCalips, hereby certify that a copy of this document was filed and served on all counsel of record via ECF on September 23, 2024.

/s/ Rosanna K. McCalips
Rosanna K. McCalips